

MITIGATED NEGATIVE DECLARATION

March 25, 2004

Project Name: Del Rio AT&T

Project Number(s): ZAP 03-034/ER 03-02-016

**This Document is Considered Draft Until it is Adopted by the Appropriate
County of San Diego Decision-Making Body.**

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
- b. Environmental Analysis Form and attached extended studies for Noise and Stormwater.

1. California Environmental Quality Act Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.

2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

DPLU

Staff has reviewed the revisions to the Site Plans and Noise Impact Analysis from Eilar Associates submitted December 19, 2003 about noise generation from three Nokia Ultrasite cabinets and one Argus TE12 power supply system cabinet proposed for this AT&T Wireless communications project. Staff requires no further analysis and can accept a final version of the Analysis without underline/strikeout format. Since no field identification is provided for these electronic cabinets, staff requests that digital photos be submitted prior to the final inspection to document cabinet specification or serial number for each cabinet (4) at the completed installation. Staff notes that the project design now proposes a CMU block attenuation enclosure to comply with County noise regulations. The enclosure shall have 8-foot tall block walls on north, south, and west sides and 6-foot tall block wall on the east side. In addition, a 4-foot wide wood access gate will be located on the east side. Based on this equipment information, the following design documentation or conditions are required:

The applicant shall:

- a. Specify three Nokia Ultrasite outdoor equipment cabinets on the final site plans or equivalently sized cabinets each with a maximum one-hour sound pressure level of 60.5 decibels (dBA) at five feet or less. The Ultrasite cabinet has an acoustic height of 3 feet and is the model tested by Eilar Associates in August of 2003 as noted in the Noise Impact Analysis (#A30842) dated December 18, 2003.
- b. Specify on the final site plans one Argus outdoor power supply cabinet (model TE12) or an equivalently sized cabinet with a maximum one-hour sound pressure level of 74.5 decibels at five feet or less. The Argus TE12 cabinet has an acoustic height of 3 feet and is the model tested by Eilar Associates in August of 2003 as noted in the Noise Impact Analysis (#A30842) dated December 18, 2003.
- c. Specify on the "Equipment Plan" of the finalized site plans the equipment enclosure as a "noise control element". The enclosure's minimum top of barrier elevation on the north, south, and west sides is 250 feet AMSL (8-foot height). The enclosure design shall specify that the outside façade of each cabinet to be no more than 5 feet from the nearest interior wall surface. To specify an effective noise control element, the enclosure shall be described as "solid and be constructed of masonry, wood, plastic, fiberglass, steel, or a combination of these materials, with no cracks or gaps through or below the wall. The minimum surface density for the

enclosure is 3.5 pounds per square foot. Any seams or cracks in the interior of the enclosure shall be filled or caulked. If wood is used, specify the design as tongue and groove with a minimum thickness of 7/8 of an inch. Any gate/door shall be designed with overlapping closures on the bottom and sides meet the minimum specifications of the wall materials described above. The gate may consist of 3/4-inch or thicker wood, a solid-sheet metal door with at least 18-gauge thickness, or an exterior-grade solid-core steel door with prefabricated door jambs."

- d. Prior to occupancy, submit to the satisfaction of the Director of Planning and Land Use for inclusion in the environmental file 03-02-016, digital photos demonstrating that the specified cabinets have been installed including their serial numbers or identification plates for each of the four ground-mounted equipment cabinets at the completed installation. A second set of photographs shall be provided to the project's construction manager.
- e. As part of the final on-site inspection, the County shall verify with the photographs submitted in the environmental file 03-02-016 that the installation of the specified cabinets described in the site plans and/or conditions of approval are correct.

3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

DPW

Our recommendations are as follows:

- A. Prior to obtaining a building permit pursuant to this Minor Use Permit, the applicant shall complete the following requirements:
 - 1. Access to the project site shall be improved per San Diego County policies and regulations, unless evidence is provided to the Department of Planning and Land Use (DPLU) showing that project access is in compliance with the March 21, 2000 County of San Diego Cellular Facilities Standards for Fire Protection (FP-2).

2. Obtain a Construction Permit for any work within the County road right-of-way. DPW Construction/Road right-of-way Permits Services Section should be contacted at (858) 694-3275 to coordinate departmental requirements. Also, before trimming, removing or planting trees or shrubs in the County Road right-of-way, the applicant must first obtain a permit to remove, plant or trim shrubs or trees from the Permit Services Section.
 1. A grading permit will be required prior to commencing of the grading where quantities exceed 200 cubic yards of material and/or cuts or fills of eight-feet (8') or more in height per criteria of Section 87.202 of the County Code.
- A. Prior to use of the premises pursuant to the Minor Use Permit, the applicant shall complete the following requirements:
1. Have a registered civil engineer, a registered traffic engineer, or a licensed surveyor provide a signed statement that physically, there is a minimum adequate unobstructed sight distance in both directions along South Mission Road from the project driveway, for the prevailing operating speed of traffic on South Mission Road, per Section 6.1.E of the County Public Road Standards (approved July 14, 1999)". If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that said lines of sight fall within the existing right-of-way and a clear space easement is not required. These certifications shall be to the satisfaction of the Director of Public Works.
 2. Comply with street lighting requirements as follows:
 - a. Transfer the property subject to this Minor Use Permit (ZAP 03-034) into Zone A of the San Diego County Street Lighting District without notice or hearing, and pay the cost to process such transfer.
 3. Furnish the Director of Planning and Land Use, along with their request for final inspection, a letter from the Director of Public Works, stating Condition(s) A-1 through B-2 have been completed to that department's satisfaction.
- B. The following shall apply for the duration of this Minor Use Permit:

1. Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9424 and Ordinance No. 9426) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than 1 acre require that the property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.

ADOPTION STATEMENT: This Mitigated Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

on _____

JOSEPH FARACE, Planning Manager
Regulatory Planning Division

JF:LF:tf

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